GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Private Aided Junior Colleges – Hon'ble High Court – Contempt case No.1556 of 2014 for implementation of the orders dated 22-8-2013 in W.P.No.25853 of 2008 filed by Smt. Feroze Sulthana Shaik, Junior Lecturer in Urdu (un-aided), JLB Junior College for Girls, Repalle, Guntur District for admission into Grant-in-Aid post – Orders - Issued.

SCHOOL EDUCATION (IE) DEPARTMENT

G.O.MS.No. 45 Dated: 27-11-2015

Read the following:-

1) Hon'ble High Court of A.P. orders dated 22-8-2013 in W.P.No.25853 of 2008.
2) From the Commissioner of Intermediate Education, A.P., Hyderabad Lr.Rc.No.Admn.I-B-2/2965/2005, dt. 31-10-2013.
3) Hon'ble High Court Interim orders dated 2-6-2014 in WAMP.No.592 of 2014 in W.A.No.199 of 2014.
4) From the Commissioner of Intermediate Education, A.P., Hyderabad Lr.Rc.No.Admn.I-B-2/2965/2005, dt.09-06-2014.
5) C.C.No.1556 of 2014 filed by Smt. Feroze Sulthana Shaik, Junior Lecturer in Urdu (un-aided), JLB Junior College for Girls, Repalle, Guntur District.
6) From the Commissioner of Intermediate Education, A.P., Hyderabad Lr.Rc.No.Admn.I-B-2/2965/2005, dt.12-1-2015.

-x-x-x-

ORDER:

The J.L.B Junior College, Repalle was admitted to Grant in Aid w.e.f 16.04.1990 vide G.O.Ms.No.208 Education (CE.II-2) Department dated 31.05.1991. The post of Junior Lecturer in Urdu has fallen vacant in J.L.B Junior College for Girls w.e.f 21.05.1995. Smt.Fyroze Sulthana was appointed as Junior Lecturer in Urdu [Un-aided] on 15.01.2001 and her appointment was approved by the Secretary, Board of Intermediate Education, A.P., Hyderabad vide Lr.Rc.No.168/E3-2/83 dated 04.06.2003 subject to condition that there should not be any financial commitment to Government now or in future and. On submission of proposals by the Management for absorption of her services into Grant-in-Aid, the request was rejected by Government vide Memo No. 3843/IE.II-1/2008-3 dated 20.06.2008.

2. Aggrieved by the rejection, the Correspondent and Smt Fyroze Sulthana filed W.P.No. 25853 of 2008 in the Hon'ble High Court and the High Court of A.P. in it's Orders dated: 22-8-2013 has passed the following order:-

> **".....Accordingly, this Writ Petition is allowed. The impugned orders in Memo No.3843/UE.II(1)/2008-3, dated 20-6-2008 and Memo No.17183/IE.II-1/2008, dated 5-10-2012 are set-aside. The respondents are directed to consider appointing the 2nd petitioner into the Grant-in-aid vacancy of Junior Lecturer in Urdu in the college of the 1st petitioner."**

3. In the reference 3rd cited, the Hon'ble Court in its interim orders dated 2-6-2014 in W.A.M.P.No.592 of 2014 in W.A.No.199 of 2014 filed by the Department, while dismissing the W.A.M.P., has directed to absorb the second respondent i.e. Smt.Fyroze Sulthana Shaik, Junior Lecturer in Urdu, JLB. Junior College for Girls, Repalle in compliance with the directions issued by the learned Single Judge shall be subject to the result of the Writ Appeal.

3. In the meanwhile, in the reference 5th cited, Smt.Fyrose Sulthana Shaik has filed Contempt Case No.1556 of 2014 for not implementing the orders dated 22-8-2013 in W.P.No.25853 of 2008.

4. The Commissioner of Intermediate Education, A.P., Hyderabad in his last letter in the reference 6th cited has stated, basing on the instructions of Government and as advised by the Learned Advocate-General an expedite

petition praying to fix an early date of hearing of W.A.No.199 of 2014 and also stay all further proceedings in C.C.No.1556 of 2014 pending disposal of W.A.No.199 of 2014 has been filed before the Division Bench of Hon'ble High Court. The W.A.No.199 of 2014 filed by the Department is still pending before the Hon'ble High Court.

5. Government after careful examination and in order to comply with the orders of the Hon'ble High Court dated 22-8-2013 in W.P.No.25853 of 2008 and consequent orders dated 2-6-2014 in W.A.M.P.No.592 of 2014 in W.A.No.1999 of 2014 of Hon'ble High Court and also keeping in view of contempt case, hereby permit the Commissioner of Intermediate Education to admit Smt.Feroze Sulthana Shaik, Junior Lecturer in Urdu (un-aided), JLB Junior College for Girls, Repalle, Guntur District for admission into Grant-in-Aid post, as a special case, subject to outcome of W.A.No.199 of 2014 pending before the Hon'ble High Court. These orders are applicable to the Writ Petitioner only and it shall not be quoted as a precedent in future.

6. The Commissioner of Intermediate Education, A.P., Hyderabad shall take further action accordingly.

7. This order issues with the concurrence of the Finance (HR.II) Department vide their U.O.No.27754/198/A2/HR.II/2015, dated:26-11-2015.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

R.P.SISODIA,
SECRETARY TO GOVERNMENT

To
The Commissioner of Intermediate Education, A.P., Hyderabad.
Copy to:
Smt. Feroze Sulthana Shaik, Junior Lecturer in Urdu (un-aided), JLB Junior College for Girls, Repalle, Guntur District through Commissioner of Intermediate Education, A.P., Hyderabad.
The Secretary & Correspondent, JLB Junior College for Girls, Repalle, Guntur District through Commissioner of Intermediate Education, A.P., Hyderabad.
The Director of Treasuries & Accounts, Hyderabad.
The District Treasury Officer, Guntur District
The Additional Advocate-General, A.P.High Court, Hyderabad.
The Finance (HR.I) Dept.
SF/SC.

// Forwarded :: By Order //

SECTION OFFICER